

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case Number: 21-cv-02852
v.)	
)	Judge John Z. Lee
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
)	

**DEFENDANT MAYOR LORI LIGHTFOOT'S
MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendant Mayor Lori Lightfoot, by her counsel, Celia Meza, Corporation Counsel of the City of Chicago, hereby moves pursuant to Fed. R. Civ. P. 12(b)(1) to dismiss Plaintiffs' Amended Complaint. In support of this motion, the Mayor states as follows:

1. Plaintiffs' two count Amended Complaint challenges an alleged decision of Mayor Lightfoot to conduct one-on-one interviews only with journalists of color on the occasion of the second anniversary of her inauguration as Mayor of Chicago. Plaintiffs claim that this violated their First Amendment (Count I) and equal protection (Count II) rights.

2. The Amended Complaint should be dismissed in its entirety because Plaintiffs lack standing, for they suffered no injury fairly traceable to the alleged interview parameters or redressable by a favorable decision from this Court.

3. In addition, Plaintiffs' claims for injunctive and declaratory relief are moot, for the challenged parameters are no longer in effect. As this Court has already held in denying

Plaintiffs' motion for a preliminary injunction, there is no "ongoing or future conduct to be enjoined" and therefore any claim for injunctive relief is moot. Dkt. 19 at 4.

Wherefore, for the foregoing reasons, as well as those discussed in the Memorandum in Support of this motion, which is being filed concurrently herewith, Defendant respectfully requests that the Court dismiss the Amended Complaint in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(1) and grant her such further relief as the Court deems just and appropriate.

Dated: August 2, 2021

Respectfully submitted,

CELIA MEZA,
Corporation Counsel for the City of Chicago

By: /s/ Peter H. Cavanaugh

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